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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

IN RE:) Case No: 18-20945-C-13C
) DCN: DPC-3
)
LYUBOV ROMANOVICH,) TRUSTEE'S MOTION TO DISMISS
) CASE
)
) DATE: MAY 30, 2018
) TIME: 9:00 AM
) JUDGE: KLEIN
Debtor(s)) COURTROOM: 33

DAVID P. CUSICK, STANDING CHAPTER 13 TRUSTEE, hereby moves the Court for an order dismissing this case pursuant to 11 U.S.C. §1307(c) as the Debtor is causing an unreasonable delay that is prejudicial to creditors.

1. CLASS 1 CHECKLIST/AUTHORIZATION FORMS: Debtor has failed to provide the Class 1 Checklist and Authorization to Release Information forms to the Trustee as required by LBR 3015-1(b)(6).

1 2. **SERIAL FILER.** The Debtor has filed 6 prior bankruptcy cases without a change in
2 circumstances. The Debtor filed the following cases:

3 #09-33513-7 filed on June 30, 2009; #10-49592-13 filed on November 9, 2010;
4 #10-52813-13 filed on December 16, 2010; #12-37444-13 filed on September 28, 2012;
5 #16-23214-13 filed on May 17, 2016; #17-22838-13 filed on April 27, 2017.

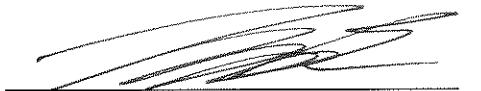
6 3. **NOT ALL PRIOR CASES LISTED.** The Debtor failed to list all prior cases on the
7 Petition. The following cases have not been listed: #09-33513-7; #16-23214-13; #17-22838-13.

8 4. **FAILED TO FILE CREDIT COUNSELING CERTIFICATE.** Debtor is not
9 eligible to be a debtor under 11 U.S.C. §109(h). The debtor has not complied with Rule 1007(c)
10 which requires certain documents to be filed with the Court the date of the filing of the case, and
11 the documents required by Rule 1007(b)(3) which requires: Unless the United States Trustee has
12 determined that the credit counseling requirement of §109 does not apply in the district, an
13 individual debtor must file the certificate and debt repayment plan, if any, required by §521(b), a
14 certification under §109(h)(3), or a request for a determination by the Court under §109(h)(4).
15

16 **The Debtor must be current under all payments called for by any pending Plan,
17 Amended Plan or Modified Plan as of the date of the hearing on this motion or the case
18 may be dismissed.**

19 WHEREFORE, the Trustee asks that the Court grant an order dismissing this proceeding.

20 Dated: APRIL 4, 2018



21 _____
22 Talvinder Bambhra, Attorney for Trustee